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Attorney Docket No.: 5043.P001

Patent

In re the Application of: Lawrence E. Foltzer et al.  
(inventor(s))

Application No.: 09/838,085

Filed: April 18, 2001

For: V GROOVE OPTIC SWITCH

(title)

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

SIR: Transmitted herewith is an Amendment for the above-referenced application.

Applicant claims small entity status. See 37 CFR 1.27.

☒ No additional fee is required.

The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amd.		Highest No. Previously Paid For	Present Extra	Rate	Additional Fee	Rate	Additional Fee
Total Claims	* 20	Minus	** 20	0	X9	\$	X18	\$ 0
Indep. Claims	* 4	Minus	*** 4	0	X43	\$	X86	\$ 0
<b>First Presentation of Multiple Dependent Claim(s)</b>					+145	\$	+290	\$
					Total Add. Fee	\$	Total Add. Fee	\$ 0

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

on November 12, 2003  
Date of Deposit

Deborah A. McGovern

Name of Person Mailing Correspondence

Signature

November 12, 2003  
Date

\_\_\_\_\_ A check in the amount of \$ \_\_\_\_\_ is attached for presentation of additional claim(s).  
\_\_\_\_\_ Applicant(s) hereby Petition(s) for an Extension of Time of \_\_\_\_\_ month(s) pursuant to  
37 C.F.R. § 1.136(a).

\_\_\_\_\_ A check for \$ \_\_\_\_\_ is attached for processing fees under 37 C.F.R. § 1.17.

\_\_\_\_\_ Please charge my Deposit Account No. 02-2666 the amount of \$ \_\_\_\_\_.

**A duplicate copy of this sheet is enclosed.**

  X   The Under Secretary of Commerce for Intellectual Property and Director of the United States  
Patent and Trademark Office is hereby authorized to charge payment of the following fees  
associated with this communication or credit any overpayment to Deposit Account No. 02-2666  
**(a duplicate copy of this sheet is enclosed):**

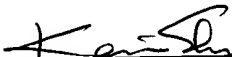
  X   Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of  
extra claims.

  X   Any extension or petition fees under 37 C.F.R. § 1.17.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: 11/12/2003

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Lawrence E. Foltzer, et al.

Serial No.: 09/838,085

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Art Unit: 2882

Examiner: T. Artman

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Sir:

In response to the Notice of Non-compliant Amendment dated October 28, 2003,  
Applicant respectfully requests that the Examiner enter the following amendments and consider  
the following remarks.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this  
paper.

**Remarks/Arguments** begin on page 12 of this paper.

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Deborah A. McGovern  
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JMcGovern 11-12-03  
Signature Date